

Application No. 09/753,999

REMARKS

Claims 1-9 are pending. By this Amendment, claims 1-9 are amended.

Claims 1-9 have been amended to conform to customary U.S. practice. Claim 1 has also been amended to recite managing, by the updating program, the capacity of the back-up memory for receiving a new message for display using the statistical information table, in cooperation with the other recited claim elements. No new matter has been added.

Claims 1-6, 8, and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,028,600 to Rosin et al. in view of U.S. Patent No. 5,801,747 to Bedard. Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosin and Bedard as applied to claim 1 and further in view of WO 99/30493 to Picco et al. Insofar as these rejections apply to the amended claims, the rejections are respectfully traversed.

First, there is no motivation in the cited references, either intrinsically or extrinsically, to combine the references as suggested in the Office Action. Therefore, no *prima facie* case of obviousness has been established.

Further, even if combined as suggested, the cited references would not meet the claims. The cited references do not teach or suggest a method for the management of a decoder that is connected to a television set and receives a message for display, the method including the step of managing, by the updating program, the capacity of the back-up memory for receiving a new message for display using the statistical information table, in addition to the other recited steps of amended claim 1.

As stated in the Office Action, "Rosin fails to explicitly disclose from a use of the database, a statistical information table, a statistical information element comprising at least one statistical information parameter is stored in the decoder." Page 2, ¶ 2. Bedard discloses

Application No. 09/753,999

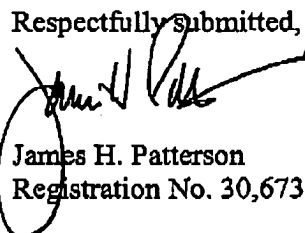
configuring and displaying electronic program guide information on the screen of a television in accordance with viewer preferences, regulating the amount of time certain television programming is viewed, automatically switching through preferred programming options for ease of viewer selection, or identifying and providing information of interest from the internet (column 2, lines 13-22). Bedard also teaches a method by which a viewer profile manages viewer profile array 200 (column 5, lines 23-24), but neither Bedard nor Rosin teach or suggest managing, by the updating program, the capacity of the back-up memory for receiving a new message for display using the statistical information table, in cooperation with the other recited steps of amended claim 1. Although Picco was not cited with respect to claim 1, it is respectfully submitted that Picco also does not teach or suggest the method of amended claim 1.

Therefore, claim 1 is allowable. Claims 2-9 depend from claim 1 and are allowable at least for these reasons. The various rejections of claims 2-9 are traversed but not expressly argued in light of the allowability of the underlying base claim.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



James H. Patterson
Registration No. 30,673

Application No. 09/753,999

Customer No. 24113
Patterson, Thuent, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-5741